

Chairperson: Supervisor Gerry Broderick
Committee Clerk: Carol Mueller, 278-4228
Research Analyst: Julie Esch, 278-4430

COMMITTEE ON PARKS, ENERGY AND ENVIRONMENT

Tuesday, July 15, 2008 – 9:00 a.m.
Milwaukee County Courthouse, Room 201-B

MINUTES

Scheduled Items:

PRESENT: Supervisors Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chairperson) – 7

Zoo – 2

1. 08-272 From the Director of the Milwaukee County Zoo, appointing Ms. Vera Westphal as Deputy Zoo Director (Administration and Finance).

Appearances:

Chuck Wikenhauser, Director, Milwaukee County Zoo
Vera Westphal, Deputy Director, Milwaukee County Zoo

MOTION BY: (Rice) Confirm appointment. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

2. 08-273 From the Director of the Milwaukee County Zoo, requesting authorization to enter into an exhibition agreement with Living Exhibits, Inc. for a presentation of "Wings from Down Under" at the Zoo during the summer of 2009 and 2010 **(Also to the Committee on Finance and Audit.)**

Appearance:

Chuck Wikenhauser, Director, Milwaukee County Zoo

Mr. Wikenhauser explained to secure a temporary exhibit, a commitment must be made in advance of the actual season they commence.

MOTION BY: (Sanfelippo) Approve. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

Scheduled Items (Continued):

Milwaukee Public Museum – 1

3. 08-28 From the Chief Financial Officer of the Milwaukee Public Museum (MPM), a financial update on the third quarter for 2008.

Appearances:

Daniel Finley, Director, Milwaukee Public Museum

Michael Bernatz, Chief Financial Officer, MPM

Mr. Finley gave the Committee an update on the MPM. The Body Worlds exhibit surpassed the last two exhibits in attendance. The Hebior mammoth found in Kenosha made national news at its unveiling. In October the Titanic exhibit opens. The MPM has upgraded their vendor for food and beverage to Zilli's Hospitality Group. This will provide better fare with reasonable prices. In late summer the supervisors are invited to participate in the dive to "Lady Elgin" that is in Lake Michigan located near the Wisconsin Illinois border.

Mr. Bernatz told the Committee that the total net proceeds for Body Worlds including souvenirs was \$1.8 million. The attendance was 338,000. There has been tremendous feed back on the exhibit. There is \$2.7 million more in current asset over last year, and the endowment fund is replenished to \$1.9 million. On the cautious side there is still \$25 million in long-term debt and liabilities.

MOTION BY: (Sanfelippo) Receive and place on file the report titled Fiscal 2008 Financial Update through May 2008. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

Presentation – 1

4. 08-R17 Presentation by Jim Shields of Hammel, Green & Abrahamson, regarding the redesign and renovation of Cathedral Square including the Joshua Glover story. **(Informational unless otherwise directed by the Committee.)**

Appearances:

Jim Shields, Hammel, Green & Abrahamson

George Gonis, President, Joshua Glover-Cathedral Square inc.

The following registered to speak:

Charlie Kamps

Todd Montgomery, Resident on Cathedral Square

Mr. Gonis gave the members a brief history of the development of Cathedral Square. He also informed the members of the importance the Joshua Glover

Scheduled Items (Continued):

story played in the civil rights movement during the Civil War era.

Mr. Shields gave a power point presentation showing the history of the square regarding the first Milwaukee County original courthouse done in Greek revival architecture. The pictures showed the original walkways that formed an "X" and the fountain area in what was Juneau Square. In addition to the courthouse, a jail and other out buildings were present at that time.

Mr. Shields showed drawings depicting the proposed building and grounds for Cathedral Square that reflect a re-creation of the building and grounds minus the fountain to pre Civil War era.

The Committee took no action on this informational item.

Transportation and Public Works – 2

5. 08-267 From Director of Transportation and Public Works, requesting authorization to submit to the Wisconsin Department of Natural Resources, the Compliance Maintenance Annual Report (CMAR) for 2007.

Appearance:

Greg High, Director, Architecture Engineering and Environmental Services

Once this report is submitted by Milwaukee County, it is in compliance with the agreement.

MOTION BY: (Dimitrijevic) Approve. (Vote 7-0)

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

6. 07-111 From the Director, Transportation and Public Works, regarding an adopted
(a)(a) resolution creating an environmental and conservational "Green Print", requesting authorization to work with the Department of Administrative Services (DAS) to determine a funding source to conduct a Technical Energy Audit (TEA) for County owned buildings for 2009. **(Also to the Committees on Transportation, Public Works and Transit and Finance and Audit.)**

Appearance:

Greg High, Director, Architecture Engineering and Environmental Services

Mr. High said the buildings listed in the report are better suited for the project due to their year-round operations. The TEA will assess if the building is considered for inclusion in the project. The TEA costs will be rolled into the contract. The TEA costs associated with building(s) that don't qualify for

Scheduled Items (Continued):

guarantee energy savings would have to be paid for by Milwaukee County.

The County currently has three Energy Savings Companies (ESCO) pre-qualified for this kind of work. The qualifying buildings will be packaged into requests for proposals to find the best proposal.

MOTION BY: (Dimitrijevic) Approve, refer to the Green Print Workgroup and have the workgroup report back in the September cycle. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

Parks - 8

7. 08-R18 From the Director of Parks Recreation and Culture, a report on the inspection and evaluation of all bathrooms, open to the public in all Parks buildings. **(Informational unless otherwise directed by the Committee.)**

Appearances:

Sue Black, Director, Parks, Recreation and Culture
James Keegan, Chief Planning and Development

Supervisor Coggs thanked the Park's Department for their thorough review of the bathrooms.

Ms. Black said this review is similar to the ranking for the playgrounds. The Committee will need to decide if the restrooms are needed, retrofitted to American Disabilities Act (ADA) standards or replaced possibly with prefabricated buildings. Some of these facilities are 70-80 years old, and may not be cost effective to repair.

None of these bathroom repairs are included in the 2009 Capital Improvement budget. This report was not completed in time to incorporate into the budget. The issue now is how should the Department proceed now that the analysis is done?

Supervisor Coggs suggested the Department research funding options such as the ADA, grants that may be available or even possibly look at naming rights.

The Committee took no action on this informational item.

8. 08-R19 A. From the Fiscal and Budget Administrator, a due diligence report on the lease and management agreement amendments with the Betty Brinn Children's Museum. **(Informational unless otherwise directed by the Committee.)**

Scheduled Items (Continued):

Appearances:

Vince Masterson, Fiscal and Budget Analyst, DAS
El Schneider, Parks Contract Services Officer

The Department of Administration (DAS) gave the Committee details of the due diligence report. The Parks Department, DAS, Risk Management and Corporation Counsel did the review that included updated new County policies. All improvements are subject to County Board approval.

Mr. Schneider explained the common area expansion is very minimal but allows for large signature exhibits. Other exhibits may be set up as kiosks so they can be easily moved for other events.

The Committee took no action on this informational item.

- 08-274 B. From the Director, Parks Recreation and Culture, requesting authority to enter into an amendment extending the Agreement with the Betty Brinn Children's Museum for an additional ten-year period beginning April 1, 2015 with the possibility of two additional five-year extensions. **(Also to the Committee on Finance and Audit.)**

Appearances:

Sue Black, Director, Parks Recreation and Culture
El Schneider, Parks Contract Services Officer
Joe Aldrich, Betty Brinn Board of Director Member

Amendment #1 was presented to the Committee (copy attached to the original file and minutes.) Supervisor Rice asked that the wording for the first paragraph be changed by striking the words "shall include recommendations provided by the Department of Administrative Services as documented in its due diligence report dated July 1, 2008 (a copy which is made part of the file herein) as follows:" and replace with "is contingent on the following:"

MOTION BY: (Dimitrijevic) Approve amendment #1 as amended. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

A lengthy discussion ensued regarding utilities costs. The Committee took a brief recess to work out suitable wording to include in the contract regarding utilities.

The Committee took a break at 10:55 a.m. and reconvened at 11:10 a.m. A roll call was taken with all members present.

Scheduled Items (Continued):

Mr. Aldrich read the suggested language to add to the contract regarding utilities. The changes will address these cost on an annual basis. Supervisor Rice put the words into a motion for inclusion in the contract.

MOTION BY: (Rice) Amend the Amendment to add language to the lease at section "2d" Rental/Utilities prior to subsection "e" to include the following: "Lessee shall pay its prorated share, based upon its square footage under the lease compared to the square footage of the building, of the maintenance and security for the common areas of the building along with the utilities associated with the meters not solely dedicated to other tenant spaces' in the building. Utility charges shall be calculated and adjusted annually."

(Vote 7-0)

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

MOTION BY: (Sanfelippo) Approve the agreement as amended. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

9. 08-275 From the Director of Parks, Recreation and Culture, requesting authorization to enter into a new ten-year agreement with the Canadian Pacific Railroad, with an option for two additional five-year periods for roadway access for the railroad's employees and maintenance vehicles to its offices north of the Mitchell Park Domes, in exchange for a graduated annual fee and continued maintenance of the roadway by the Canadian Pacific Railroad.

MOTION BY: (Dimitrijevic) Approve. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

10. 08-R20 A. From the Fiscal and Budget Administrator, a due diligence report on the agreement with the Zilli Hospitality Group for operations and management of the food and beverage services at the Mitchell Park Domes. **(Informational unless otherwise directed by the Committee.)**

Appearance:

John Ruggini, Assistant Fiscal and Budget Administrator

Mr. Ruggini gave the highlights of the lease whereby the County receives an eight percent commission on sales, utilities increase every five-years and the vendor is investing \$250,000 in capital improvements. All but three issues noted in the report have been resolved and have been included in the lease.

Scheduled Items (Continued):

The three remaining items are: bond conveyance due to the tax exempt issue and is being reviewed by Bond Counsel, a buy-back schedule that was recently received and discussions regarding past due items not qualifying as part of the eight percent commission.

The tenant will make and pay for the capital improvement with Architecture and Engineering providing periodic reviews as to value, quality and the overall project. Blueprints will be provided to Milwaukee County.

Supervisor Coggs asked that the items remaining be reviewed and presented for the Finance and Audit Committee with five and ten-year scenarios.

The Committee took no action on this informational item.

- 08-181 B. From the Director of Parks, Recreation and Culture, requesting
(a)(a) authorization to enter into a ten-year agreement with two possible five-year extensions with the Zilli Hospitality Group for the operation and management of the food and beverage services at the Mitchell Park Domes. **(Also to the Committee on Finance and Audit.)**

Appearances:

John Ruggini, Assistant Fiscal and Budget Administrator
El Schneider, Parks Contract Services Officer

Mr. Ruggini requested that the recommendation from the Department of Administrative Services (DAS) be incorporated into the contract.

Regarding questions on the eight percent commission, Mr. Schneider noted, this is not a standard rate, but it is felt that the number of events will increase substantially, thereby the County will receive increases in revenues.

Amendment #1 was provided to the Committee whereby the following Be It Further Resolved clause is added as follows: "BE IT FURTHER RESOLVED, that execution of the ten-year agreement between Zilli Hospitality Group and Milwaukee County is contingent upon the Zilli Hospitality Group providing a depreciation schedule and monthly financial report to the Department of Administrative Services for review and approval, and successful review of the bond covenants pertaining to prior construction projects at the Domes, as is recommended in the due diligence report dated July 1, 2008 (a copy which is made part of the file herein)."

MOTION BY: (Dimitrijevic) Approve amendment #1. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

Scheduled Items (Continued):

MOTION BY: (Dimitrijevic) Approve as amended. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

11. 08-276 From the Director of Parks, Recreation and Culture, requesting authorization for the appropriate County staff to be authorized to negotiate, prepare, review, approve, execute, record and/or implement the Memorandum of Understanding (MOU) and other required documents to facilitate the redevelopment of North Harbor Drive. **(Also to the Committee on Transportation, Public Works and Transit.)**

Appearance:

Kevin Haley, Parks, Planning and Development

Mr. Haley gave an overview of the parcels of land and how they involve jurisdiction from various groups. These include the Harbor Commission, City of Milwaukee, World Fest and Milwaukee County. These modifications will improve access to the various venues near this location and result in enhancements to the small parcel that affects Milwaukee County.

Supervisor Rice requested a report back in September 2008 on the details of the project including any impact on county land.

MOTION BY: (Coggs) Approve. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

12. 08-R15 From the Director, Department of Parks, Recreation and Culture, submitting a report on 2008 Storm Damage. **(Also to be considered by the Committee on Finance and Audit.) (For information only unless otherwise directed by the Committee)**

Appearances:

Sue Black, Director, Parks Recreation and Culture

Josh Fudge, Parks Budget Manager

Brian Zimmerman, Acting Chief of Operations

John Ruggini, Assistant Fiscal and Budget Administrator

Ms. Black said that Mr. Zimmerman was heavily involved in assessing the areas of damage.

Scheduled Items (Continued):

Mr. Fudge gave the Committee the estimated cost of damage through June 14, 2008 totaling \$18.6 million not including loss of golf revenue and other events. Some of these costs include \$.5 million in debris cleanup, \$3 million in damage to public buildings and bridges, \$10 million for bluff repair at Grant Park, beaches and sports fields. The Department met with Federal Emergency Management Agency (FEMA) last week. Approximately 87.5% of qualifying losses are covered by FEMA and the State. These funds are not available upfront but are reimbursable.

The Parks Department will work with the Department of Administrative Services (DAS) to review options for funding including bonds. There is still approximately \$2 million not covered by insurance or FEMA resulting in a deficit countywide.

Mr. Zimmerman told the Committee they are prioritizing the health and safety issues first. Some projects have been completed such as Doctor's Park, Scout Lake and Estabrook Park. The forestry crew work is ongoing. Contract services are being used as applicable.

The Committee took no action on this informational item.

Discovery World - 1

13. 08-232 From the President and CEO, Discovery World at Pier Wisconsin and President, Junior Achievement of Wisconsin, expressing intent to assign the ground lease and rights of Discovery World under the reciprocal easement and operating agreements to Junior Achievement with their intent to use the leased premises as educational space and administrative offices. **(Also to the Committee on Economic & Community Development.)**

Appearances:

William Domina, Corporation Counsel

Daniel Gentges, Whyte Hirschboeck Dudek S.C.

Jeffrey Delahaut, Controller Junior Achievement

Mr. Domina spoke to the Committee on facilitating the resolution. He noted the terms of the ground lease allow for a sale if the entity is approved. The agreement with Discovery World is through 2044. The lease would be altered to reflect the change of ownership to Junior Achievement.

Mr. Delahaut explained the exhibits proposed would be for fifth and eighth grade students. "Biz Town" allows a student to perform duties to run a city for a day. "Finance Park" gives the students economical cases to be involved with.

Scheduled Items (Continued):

Additionally, Junior Achievement will move their offices from Glendale to this site. Some renovation to build a conference room will be done, that could be available for rental purposes.

MOTION BY: (Rice) Approve. **(Vote 7-0)**

AYES: Sanfelippo, Coggs, Dimitrijevic, Rice, Larson, Lipscomb and Broderick (Chair) - 7

NOES: - 0

This meeting was recorded. Committee files contain copies of the subject reports, communications, resolutions, and ordinances, which may be reviewed upon request to the Chief Committee Clerk. The official copy of these minutes, along with the audio recording of this meeting, are available in the County Board Committee Services Division.

Length of meeting: 9:05 a.m. until approximately 12:00 p.m.

Carol Mueller, Committee Clerk

Staff Present:

Mr. Chuck Wikenhauser, Director, Zoo

Ms. Vera Westphal, Deputy Director, Zoo

Mr. Greg High, Director, Architecture Engineering and Environmental Services

Ms. Sue Black, Director, Parks, Recreation and Culture

Mr. James Keegan, Chief Planning and Development

Mr. Vince Masterson, Fiscal and Budget Analyst, DAS

Mr. El Schneider, Parks Contract Services Officer

Mr. John Ruggini, Assistant Fiscal and Budget Administrator

Mr. Kevin Haley, Parks, Planning and Development

Mr. Josh Fudge, Parks Budget Manager

Mr. Brian Zimmerman, Parks Golf Manager

Mr. William Domina, Corporation Counsel

Ms. Julie Esch, Research Analyst

DEADLINE FOR THE PARKS, ENERGY AND ENVIRONMENT COMMITTEE:

The next regular meeting for the Parks Committee is September 16, 2008.

All items for the agenda must be in the Committee Clerk's possession by the end of the business day on Tuesday, September 2, 2008.

ADA accommodation requests should be filed with the Milwaukee County Office for Persons with Disabilities 278-3932 (voice) or 278-3937 (TTY) upon receipt of this notice.